

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.52)

Attorney Docket No.

219774US0X CIP

First Inventor or Application Identifier

Bettina MOECKS

Title

NUCLEOTIDE SEQUENCES WHICH CODE FOR THE rpoB GENE

Assignee Name: DEGUSSA AG

Assignee Address: Bennigsenplatz 1, D-40474 Düsseldorf, GERMANY

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification Total Sheets **37**
3. ☐ Formal Drawing(s)  
(35 U.S.C. 113) Total Sheets
4. ☐ Oath or Declaration Total Pages
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 17 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in  
the prior application, see 37 C.F.R. §1.63(d)(2) and  
1.33(b).
- ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)
- ☒ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF)
- b. Specification or Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper
- c. ☒ Statements verifying identity of above copies

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

**ACCOMPANYING APPLICATION PARTS**

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☒ Application Data Sheet. See 37 CFR 1.76
9. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ White Advance Serial No. Postcard
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Applicant claims small entity status.  
See 37 CFR 1.27
16. ☒ Other: Depository Information (DSM 13993 AND  
DSM 13994)  
Request for Priority

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

- ☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application no.: 09/887,052
- Prior application information: Examiner: Group Art Unit: 1632

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. Amend the specification by inserting before the first line the sentence:

- ☒ This application is a ☐ Continuation ☐ Division ☒ Continuation-in-part (CIP)  
of application Serial No. 09/887,052 Filed on June 25, 2001, pending.
- ☐ Which was published in English
- ☐ Which was not published in English
- ☐ This application claims priority of provisional application Serial No. Filed

**19. CORRESPONDENCE ADDRESS**



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Name:	Norman F. Oblon	Registration No.:	24,618
Signature:	<i>Corwin Paul Umbach</i>	Date:	2-19-02
Name:	Corwin P. Umbach, Ph.D.	Registration No.:	24,618

Docket No. 219774US0X CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Bettina MOECKEL, ET AL.

SERIAL NO: New Application

FILING DATE: Herewith

FOR: NUCLEOTIDE SEQUENCES WHICH CODE FOR THE rpoB GENE

FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	87 - 20 =	67	× \$18 =	\$1,206.00
INDEPENDENT CLAIMS	12 - 3 =	9	× \$84 =	\$756.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$280 =	\$0.00
<input checked="" type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$130.00
BASIC FEE				\$740.00
TOTAL OF ABOVE CALCULATIONS				\$2,832.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
TOTAL				\$2,832.00

Please charge Deposit Account No. 15-0030 in the amount of

A duplicate copy of this sheet is enclosed.

A check in the amount of **\$2,832.00** to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030.  
A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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Date: 2-19-02



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bettina MOECKEL, ET AL.

GAU:

SERIAL NO: NEW APPLICATION

EXAMINER:

FILED: HERewith

FOR: NUCLEOTIDE SEQUENCES WHICH CODE FOR THE rpoB GENE

REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

- ☒ Full benefit of the filing date of U.S. Application Serial Number 09/887,052, filed June 25, 2001, is claimed pursuant to the provisions of 35 U.S.C. §120.
- ☐ Full benefit of the filing date of U.S. Provisional Application Serial Number , filed , is claimed pursuant to the provisions of 35 U.S.C. §119(e).
- ☒ Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of 35 U.S.C. §119, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

COUNTRY

101 07 229.5

APPLICATION NUMBER

GERMANY

MONTH/DAY/YEAR

FEBRUARY/16/2001

Certified copies of the corresponding Convention Application(s)

- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee
- ☒ were filed in prior application Serial No. 09/887,052 filed June 25, 2001.
- ☐ were submitted to the International Bureau in PCT Application Number .  
Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.
- ☐ (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and  
(B) Application Serial No.(s)
  - ☐ are submitted herewith
  - ☐ will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
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10/076406  
02/19/02